

RESOLUTION NO. 09-2019

**A RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTION OF INTERLOCAL AGREEMENT BETWEEN WEST
HAVEN CITY AND WEBER COUNTY OR THE STATE OF UTAH,
FOR THE DISTRIBUTION OF BEER TAXES; AUTHORIZING THE
MAYOR TO SIGN SUCH AN AGREEMENT; AND PROVIDING
FOR AN EFFECTIVE DATE**

SECTION 1 - RECITALS

WHEREAS, the City of West Haven ("City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, the City Council as the governing body of the City may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that under the Utah Interlocal Co-operation Act UC §11-13-1, et seq., Utah Code Ann., 1953, as amended, (the "Act"), any power or powers, privileges or authority exercised or capable of exercise by a public agency of the state (defined as any political subdivision of the state, including municipalities and special districts of various kinds) may be exercised and enjoyed jointly with any other public agency, and that any two or more public agencies may contract with one another for joint or cooperative action under the Act; and,

WHEREAS, the City Council finds that in conformance with UC §10-3-717, the City Council as the governing body of the City may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that in conformance with UC §11-13-1, the City may enter into Interlocal Cooperation Agreements; and,

WHEREAS, the City Council finds that Weber County and/or the State of Utah has the ability, and is willing, to provide beer tax distribution service to and on behalf of West Haven City and to provide those and other related services on behalf of the City in a manner that is beneficial to the City (the "Agreements"); and,

WHEREAS, the City Council finds that entering into and supporting the Agreement is in the best interest of the citizens of West Haven City; and,

WHEREAS, the City Council finds it will be beneficial to the City to enter into a contractual relationship with Weber County for the provision of these mutually beneficial services; and,

WHEREAS, such agreements require the signature of an authorized official of the City; and,

WHEREAS, the Mayor of West Haven is the chief executive and administrative officer and representative of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN UTAH THAT:

The Governing Body of West Haven City, State of Utah, authorizes entry into all agreements with Weber County and/or the State of Utah that may be necessary to effectuate the assistance of one or both of these governmental entities for the provision of beer tax distribution activities as set out in **Attachment "A", "Interlocal Agreement - Distribution of Beer Tax Funds"** attached hereto, and by this reference fully incorporated; and authorizes the Mayor to sign all contracts, agreements, or other documents to consummate said agreements; and, authorizes the City Recorder to sign any documents as may be required attesting to the fact that the Mayor has been duly authorized to enter into such arrangements on behalf of the City.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions regarding the changes enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with any of this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS:

The body and substance of all prior Resolutions, with their provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE:

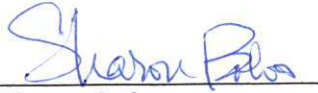
If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION 5 - DATE OF EFFECT:

This Resolution shall be effective on the 3rd day of July, 2019, and after publication or posting as required by law.

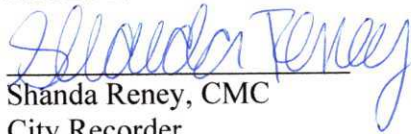
PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY, STATE OF UTAH, on this 3rd day of July, 2019.

WEST HAVEN CITY

A handwritten signature in blue ink, appearing to read "Sharon Bolos", written over a horizontal line.

Sharon Bolos
Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Shanda Reney", written over a horizontal line.

Shanda Reney, CMC
City Recorder

ATTACHMENT "A"

RESOLUTION NO. 09-2019

**A Resolution Approving And Authorizing The Execution Of Interlocal Agreement
Between West Haven City And Weber County Or The State Of Utah, For The
Distribution Of Beer Taxes; Authorizing The Mayor To Sign Such An Agreement; And
Providing For An Effective Date**

03 Jul 19

INTERLOCAL AGREEMENT
DISTRIBUTION OF BEER TAX FUNDS

This agreement is entered into by and among the local government(s) listed below for the purpose of collecting and reporting the Beer Tax distributions pursuant to Utah Code 32B-2-401 through 403.

Agreement by Parties

_____ agrees to collect the Beer Tax distribution
(Name of City/Town/County)
for and behalf of _____ and also agrees to report on such
(Name of City/Town/County)
distribution as outline in 32B-2-405 Reporting by municipalities and counties – Grants.

Effective Dates

This agreement shall become effective from the date entered below and shall continue in perpetuity unless stated, in writing, otherwise by either party.

Signatures of Authorized Personnel

The undersigned authorized representatives have authorized execution of the Interlocal Agreement – Distribution of Beer Tax Funds.

IN WITNESS WHEREOF, This agreement has been executed by each local government as evidenced by signature affixed to this agreement.

_____ BY: _____
(Name of City/Town/County) (Mayor/Executive Name and Title)

_____ DATE: _____
(Mayor/Executive Signature)

AND

_____ BY: _____
(Name of City/Town/County) (Mayor/Executive Name and Title)

_____ DATE: _____
(Mayor/Executive Signature)